

(PCT Article 36 and Rule 70)

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/007593

## Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language \_\_\_\_\_ which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
  - ☐ publication of the international application (Rule 12.4)
  - ☐ international preliminary examination (Rule 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☐ the international application as originally filed/furnished
- ☒ the description:

pages 1-8 as originally filed/furnished

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

- ☒ the claims:
- nos. 2-9 as originally filed/furnished

nos.\* \_\_\_\_\_ as amended (together with any statement) under Article 19

nos.\* 1 received by this Authority on 04.02.2005 with letter of 01.02.2005

nos.\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

- ☒ the drawings:
- sheets 1/2-2/2 as originally filed/furnished

sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages \_\_\_\_\_

☐ the claims, nos. \_\_\_\_\_

☐ the drawings, sheets/figs \_\_\_\_\_

☐ the sequence listing (*specify*): \_\_\_\_\_

☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages \_\_\_\_\_

☐ the claims, nos. \_\_\_\_\_

☐ the drawings, sheets/figs \_\_\_\_\_

☐ the sequence listing (*specify*): \_\_\_\_\_

☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	1-9	YES
	Claims		NO
Inventive step (IS)	Claims	1-9	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-9	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
Reference is made to the following documents:			
D1: US-A-6 298 319			
D2: WO-A-02/088909			
Document D1, which is considered to be the closest prior art, discloses (the references in parentheses are to D1) a method for designing and/or configuring a project (column 3, lines 5 to 17), wherein:			
<ul style="list-style-type: none"><li>- in a memory of an engineering system connected to a programming device of the engineering system, design modules ("blocks and design templates") are stored in a library (column 5, line 48 to column 6, line 54);</li><li>- copies of the design modules needed for the design and/or configuration of the project can be stored in the programming device (column 6, lines 55 to 61).</li></ul>			
The subject matter of claim 1 differs in that:			
<ul style="list-style-type: none"><li>(a) the project design and/or configuration represents automation equipment for controlling an engineering system;</li><li>(b) the method has the following steps:</li></ul>			

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- references are stored in the programming device showing which design modules are to be copied; on the basis of the references the design modules are automatically copied and stored in the programming device.

The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

The problem addressed by the present invention can thus be seen as that of how to reduce the error susceptibility and design overhead.

The solution proposed in claim 1 of the application involves an inventive step (PCT Article 33(3)) for the following reasons:

Document D2 discloses a file stored on a computer or server. If the content of the file changes the file is automatically updated.

In claim 1 the design modules are automatically copied and stored in the programming device on the basis of the references. Because the programmer simply enters references and is not responsible for the actual copying, the error susceptibility and design overhead are reduced.

A person skilled in the art would therefore not be able to arrive at the subject matter of claim 1 on the basis of a combination of the teachings of D1 and D2, without making an inventive contribution.

The skilled person would also not be able to arrive at the subject matter of claim 1 on the basis of a combination of

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the teachings of D1 and one or more of the documents cited in the international search report, without making an inventive contribution.

Independent claims 5 and 9 define a system and a programming device respectively, but the subject matter claimed is the same as that of claim 1. Claims 5 and 9 therefore also meet the PCT requirements in respect of novelty and inventive step.

Claims 2 to 4 are dependent on claim 1 and therefore also meet the PCT requirements in respect of novelty and inventive step.

Claims 6 to 8 are dependent on claim 1 and therefore also meet the PCT requirements in respect of novelty and inventive step.